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To:

**Lynn M. Kryza**

Patent Special Projects Advisor  
Office of Patent Legal Administration

MAY 20 2003

**REEXAM UNIT**

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FROM:

DAVID L. STEWART, ESQ. /Kristen Ferguson

DATE:

May 20, 2003

NUMBER OF PAGES (INCLUDING COVER SHEET): 4

COMMENTS/INSTRUCTIONS:

Please retrieve the attached Statement.

RECEIVED - URGENT - 05/20/03

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Inter Partes Reexamination )  
Requests filed: April 22, 2003 for)  
Patent Nos.: 5,436,960, 5,479,472 )  
5,438,611, 5,625,670, 5,631,946 )  
5,819,172, and 6,067,451 )

**FAX RECEIVED**  
MAY 20 2003  
**REEXAM UNIT**

STATEMENT

Central Reexamination Unit  
Attn: Lynn M. Kryza  
Patent Special Project Advisor

On or about the 6<sup>th</sup> of May, 2003, the undersigned caused to be filed a petition under 37 C.F.R. § 1.181 in each of the above-identified request for *Inter Partes* Reexamination. The undersigned did this by causing his secretary to fax to the undersigned's local associate, Paul Del Giudice, a copy of each petition and a copy of a postcard receipt. On May 6, 2003, after Patent and Trademark Office close of business but before midnight, the local associate filed the petitions in the Patent and Trademark Office mailroom. As evidence of this, the local associate returned to the undersigned a copy of the stamped post card receipt for each of the petitions filed.

On May 15, 2003, the undersigned visited the Central Reexamination Unit and spoke with Marsha Twitty and Gerry Dost regarding the petitions. The undersigned was informed that the Central Reexamination Unit had not received the petitions. Accordingly, the undersigned telephoned his secretary who prepared a set of duplicate petitions for each of the seven cases together with a corresponding postcard receipt returned by the local associate showing receipt of those petitions in the Patent

and Trademark Office on May 6, 2003. On the undersigned's instructions, the undersigned's secretary forwarded those by Federal Express to the local associate, Paul Del Giudice who provided those copies to the Central Reexamination on May 16, 2003.

In the afternoon of May 16, 2003, the undersigned, then in Richmond, Virginia, was notified by cell phone by Marsha Twitty that a statement was required stating that the copies of the petitions that were deposited with the Central Reexamination Unit earlier in the day by the undersigned's local associate were true copies of the petitions filed via said local associate in the Patent Office mailroom on May 6, 2003. That is the purpose of this communication.

Accordingly, the undersigned hereby states, based on the information described above that the copies of the petitions under 37 C.F.R. § 1.181 for each of the above-identified cases that were deposited with the Central Reexamination Unit on May 16, 2003, are true copies, to the best of the undersigned's knowledge information and belief, of the petitions under 37 C.F.R. § 1.181 filed in the Patent and Trademark Office mailroom by the undersigned's local associate on May 6, 2003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such

In re Inter Part Reexamination  
Requests filed April 22, 2003

willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully Submitted,

  
DAVID L. STEWART  
Reg. No. 37,578

 27975

PATENT TRADEMARK OFFICE

Telephone: (321) 725-4760

CERTIFICATE OF FACSIMILE

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 703-305-1013 to the CENTRAL REEXAMINATION UNIT, Office of Patent and Legal Administration, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia, 22313-1450, this 20 day of May, 2003.

